

REMARKS

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.116 and in light of the remarks which follow, are respectfully requested.

By the above amendments, claims 3, 12, 16-18, 20, 23 and 24 have been canceled without prejudice or disclaimer. Claim 1 has been amended to recite that the ethylene-unsaturated ester copolymer (B) consists of ethylene groups and unsaturated ester groups. Support for such amendment can be found in the instant specification at least at the paragraph bridging pages 6 and 7. Claim 1 has also been amended to recite that the thermoplastic resin (C) is at least one resin selected from the group consisting of medium density polyethylene, high density polyethylene, polypropylene, poly-4-methyl-1-pentene and a combination thereof. Support for such amendments can be found in the instant specification at least at page 7, line 14 to page 8, line 8. Entry of the foregoing amendments is proper at least because they are effective to place the application in condition for allowance. See M.P.E.P. §714.12.

In the Official Action, claims 1, 3 and 11-24 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,179,168 (*Hirasawa*). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 1 recites a resin composition consisting essentially of 5-50 parts by weight of a potassium ionomer (A) of an ethylene-unsaturated carboxylic acid copolymer comprising a potassium ionomer of two or more types of ethylene-unsaturated carboxylic acid copolymers which has an average acid content of 10 to 30 % by weight, has difference in acid contents between the highest content and the lowest content of 1 % by weight or more, and has a neutralization degree by potassium of 60 % or more, 0.5 to 20 parts by weight of an ethylene-unsaturated ester copolymer (B) consisting of

ethylene groups and unsaturated ester groups, wherein the unsaturated ester in the ethylene-unsaturated ester copolymer is a vinyl ester selected from the group consisting of vinyl acetate and vinyl propionate; or an unsaturated carboxylic acid ester selected from the group consisting of methyl acrylate, ethyl acrylate, isopropyl acrylate, isobutyl acrylate, n-butyl acrylate, isooctyl acrylate, 2-ethylhexyl acrylate, methyl methacrylate, ethyl methacrylate and isobutyl methacrylate, and 94.5 to 30 parts by weight of a thermoplastic resin (C) other than (A) and (B), wherein the thermoplastic resin (C) is at least one resin selected from the group consisting of medium density polyethylene, high density polyethylene, polypropylene, poly-4-methyl-1-pentene and a combination thereof.

It is well established that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). For an anticipation to exist, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

In the present case, *Hirasawa* does not disclose each feature recited in independent claim 1, and as such fails to constitute an anticipation of such claim. For example, *Hirasawa* does not disclose a resin composition consisting essentially of 0.5 to 20 parts by weight of an ethylene-unsaturated ester copolymer (B) consisting of ethylene groups and unsaturated ester groups, as recited in claim 1. Concerning such claimed subject matter, the Patent Office has relied on *Hirasawa* for disclosing the use of a vinyl ester monomer. See Official Action at page 2 and *Hirasawa* at col. 3, lines 7-9. However, *Hirasawa* discloses that such vinyl ester "as a comonomer in addition to the above-mentioned two components can be used as the ethylene/unsaturated

carboxylic acid copolymer as the base of each ionomer". See col. 2, lines 61-64. Quite clearly, *Hirasawa* has no disclosure of employing an ethylene-unsaturated ester copolymer (B) consisting of ethylene groups and unsaturated ester groups, as is presently recited.

For at least the above reasons, it is apparent that *Hirasawa* fails to constitute an anticipation of independent claim 1.

As noted above, claim 1 has been amended to recite that the thermoplastic resin (C) is at least one resin selected from the group consisting of medium density polyethylene, high density polyethylene, polypropylene, poly-4-methyl-1-pentene and a combination thereof. Applicants submit that by employing the combination of the potassium ionomer (A), the ethylene-unsaturated ester copolymer (B), and the thermoplastic resin (C) other than (A) and (B), a resin composition can be attained having, for example, improved anti-static, processability and/or compatibility characteristics.

In this regard, Applicants note that in conventional resin compositions, potassium ionomer generally has poor dispersibility and compatibility characteristics, when the potassium ionomer is blended with a material having relatively high crystallinity such as high density polyethylene and polypropylene. This can have an adversely effect on the melt torque of an extruder, which can in turn have an adverse effect on the productivity and/or appearance of the molded article. According to an exemplary aspect, Applicants have discovered that by the use of a resin composition consisting essentially of the potassium ionomer (A), the ethylene-unsaturated ester copolymer (B), and the thermoplastic resin (C) other than (A) and (B), in accordance with an exemplary aspect, a molded article can be attained having a good appearance even with the combined use of a potassium ionomer together with a relatively high crystalline material. Such

exemplary advantages are apparent, for example, upon review of the examples set forth in the specification, and are not recognized or suggested by the applied art.

For at least the above reasons, it is apparent that independent claim 1 is not anticipated by, nor obvious over, *Hirasawa*. Accordingly, withdrawal of the above rejection is respectfully requested.

The dependent claims are allowable at least by virtue of their direct or indirect dependence from independent claim 1. Thus, a detailed discussion of the additional distinguishing features recited in the dependent claims is not set forth at this time.

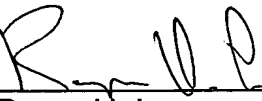
From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at her earliest convenience.

Respectfully submitted,

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